

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:97CR3002
)	
v.)	
)	MEMORANDUM
JIMMIE C. JOHNSON,)	AND ORDER
)	
Defendant.)	
)	

Mr. Johnson has filed a “Motion for Re-Sentencing” which I construe to be a motion under Amendment 782. His motion will be denied.

First, Amendment 782 does not apply to Mr. Johnson since, even if it was applied, the Guideline range remains the same – life in prison¹. Second, as I have said before, Mr. Johnson is a violent predator² and I would not exercise my discretion to reduce his sentence even if I had the discretion to do so.

IT IS ORDERED that the “Motion for Re-Sentencing” (filing no. 247) is denied. My chambers shall send a copy of this order to the SUSPO, the FPD and the AUSA handling Amendment 782 issues. The Clerk shall mail a copy of this order to Mr. Johnson.

DATED this 30th day of September, 2015.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge

¹See, e.g., 18 U.S.C. § 3582(c)(2); U.S.S.G. § 1B1.10 cmt. n. 1(A).

²See, e.g., *United States v. Johnson*, 169 F.3d 1092, 1094-1095 (8th Cir. 1999).